

CHAPTER CXXXI.

An Act to amend an act, passed in the year 1816, entitled "An act respecting the Academy and town of Smithville, in Brunswick county."

Be it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same. That from and after the passing of this act, three trustees of said academy shall have power and authority to call a meeting of the board of said trustees, in case of the absence or inability of the president of said board, and that seven members, when met, shall constitute a quorum for the transaction of business: *Provided*, that said board so constituted, shall not have power to elect or expel the principal of said academy, nor to dispose of the funds belonging to said institution.

II. *And be it further enacted*, That the trustees of said academy, or any five of them, be and they are hereby authorised to raise by way of lottery, a sum not exceeding three thousand dollars, for the use of said academy, in such classes as to them may seem most expedient and proper.

III. *Be it further enacted*, That the managers of said lottery shall be bound in their personal property for the payment of the prizes in said lottery, and shall be individually sueable therefor, within six months from the time the prizes are drawn.

CHAPTER CXXXII.

An Act incorporating Morganton Academy.

Whereas there has been for some years an academy existing at Morganton, with a flourishing male and female school attached to it; and whereas said academy has heretofore been managed only as a private school, although considerable funds have been given and granted to it, both by private donations and acts of the legislature of this state, without incorporating said academy:

Be it therefore enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same. That Thomas Walton, Doctor Thomas Boucheff, John Caldwell, David Tate, sen. Adolphus L. Erwin, James Erwin, Doctor Samuel Tate, Isaac T. Avery, John M. Greenlee, Charles McDowell, William G. Dickson, and James Murphey, be, and they are hereby declared to be a body politic and corporate, to be known and distinguished by the name of "The President and Trustees of the Morganton Academy," and by that name shall have perpetual succession and a common seal; and that they the said president and trustees, and their successors in office, by the name aforesaid, or a majority of them, shall be capable in law and equity, to take, demand, receive and possess, all monies, goods and chattels, that shall be given to them for the use of said academy, and to apply the same according to the will of the donor, and by purchase or devise to take, have, receive, possess, enjoy and retain to them, and their successors forever, any lands, rents, tenements and hereditaments, of what kind, nature or